

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chairman Gary L. Perry, on February 11, 2009 at 9:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Gary L. Perry, Chairman (R)  
Sen. Jim Shockley, Vice Chairman (R)  
Sen. Aubyn Curtiss (R)  
Sen. John Esp (R)  
Sen. Greg Hinkle (R)  
Sen. Larry Jent (D)  
Sen. Carol C. Juneau (D)  
Sen. Cliff Larsen (D)  
Sen. Jesse Laslovich (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Terry Murphy (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Valencia Lane, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 46, 2/4/2009

Executive Action: None

**HEARING ON SB 46**

**Opening Statement by Sponsor:**

00:04:59 Sen. Dan McGee (R), SD 29, opened the hearing on SB 46,  
Protection of unborn life as compelling state interest.  
[EXHIBIT\(jus32a01\)](#)

**Proponents' Testimony:**

00:25:01 Gregg Trude, Executive Director, Right to Life of  
Montana  
00:25:22 Dr. Annie Bukacek, Physician; President, Montana  
ProLife Coalition  
[EXHIBIT\(jus32a02\)](#)  
[EXHIBIT\(jus32a03\)](#)  
00:30:32 Rick Jore, self; board member, Montana ProLife  
Coalition  
00:32:06 Rita Senkler, self  
[EXHIBIT\(jus32a04\)](#)  
00:33:56 Roger Koopman, board member, Montana ProLife Coalition  
[EXHIBIT\(jus32a05\)](#)  
00:40:28 Becky Stockton, self; Montana ProLife Coalition  
[EXHIBIT\(jus32a06\)](#)  
00:42:36 Beth Ries, self; Montana ProLife Coalition  
[EXHIBIT\(jus32a07\)](#)  
00:45:56 R. J. Christensen, self  
00:47:45 Brittani Hansen, self  
00:49:24 Moe Wosepka, Executive Director, Montana Catholic  
Conference  
00:50:23 Matt Zemacke, self; Physician Assistant, Kalispell  
00:51:57 Marybeth Adams, Family Nurse Practitioner, Belgrade  
[EXHIBIT\(jus32a08\)](#)  
00:58:12 Jeff Laszloffy, President, Montana Family Foundation  
01:00:01 Kandi Matthew-Jenkins, self, Missoula  
[EXHIBIT\(jus32a09\)](#)  
01:04:20 Robert Snyder, Vice-Chairman, Montana ProLife  
Coalition  
[EXHIBIT\(jus32a10\)](#)  
01:06:11 Gregory Depuydt, self, Butte  
01:07:05 Vivian McNeme, self; Montana ProLife Coalition, Hungry  
Horse  
[EXHIBIT\(jus32a11\)](#)  
01:11:03 Lee Ann Bear, Montana ProLife Coalition, Kalispell  
[EXHIBIT\(jus32a12\)](#)

01:15:32 break

01:24:59 Suzanne Brooks, self; Montana ProLife Coalition,  
Whitefish

01:30:56 Kathy Sipes, self; Montana ProLife Coalition, Kalispell

01:33:35 Benjamin Wiersma, self, Kalispell

01:34:14 Tim Schroeder, Montana ProLife Coalition; Lutherans for  
Life

01:35:46 Gail Asbury, self, Helena

**EXHIBIT(jus32a13)**

01:39:55 Robert "Bobby" C. Lane, Montana ProLife Coalition,  
Kalispell

**EXHIBIT(jus32a14)**

01:42:29 Gene Williams, self, Hamilton

01:45:06 Bill Meyers, Bigfork

01:48:45 Daniel Cox, self

01:49:32 Susanna Pyron, self, Florence

01:49:55 Bob Adney, self; Montana ProLife Coalition

01:50:37 Christina Pfarr Hayden, self; Silent No More Awareness  
Campaign, Butte

**EXHIBIT(jus32a15)**

01:53:42 Marilyn Hatch, self

**EXHIBIT(jus32a16)**

**EXHIBIT(jus32a17)**

**EXHIBIT(jus32a18)**

01:57:06 Raymee Haubrich, self

**EXHIBIT(jus32a19)**

02:00:08 Jonene Bernhardt, self

**EXHIBIT(jus32a20)**

02:01:21 Rick Komenda, self; Montana ProLife Coalition; Montana  
Constitution Party

02:02:34 Charlotte Komenda, self

02:03:19 Jeremy Hofer, Montana ProLife Coalition

02:03:42 Roland Horst, Montana ProLife Coalition

02:05:27 Diane Nugent, Montana ProLife Coalition, Kalispell

02:05:51 Tim Bernard, self

**EXHIBIT(jus32a21)**

02:08:16 Patricia Wood, self

02:09:45 Dallas Erickson, Montana Citizens for Decency Through  
Law

**EXHIBIT(jus32a22)**

02:10:44 Dr. William D. Wise, retired Physician

02:11:10 Harris Himes, Pastor, Big Sky Christian Center

02:11:53 Trevis Butcher, Montana ProLife Coalition

02:12:23 Sen. Joe Tropila, SD 13

02:13:03 John Kershaw, self

02:14:31 William Biernat, Montana ProLife Coalition, Lewistown

02:15:51 Pam Worthy, self; Licensed Practical Nurse  
02:17:12 Melinda Albers, self  
02:18:41 Phyllis Lamping, self  
02:19:45 Caroline Robinson, self

**Proponent's Information Distributed to Committee Members during  
break regarding SB 46:**

[EXHIBIT\(jus32a23\)](#)

[EXHIBIT\(jus32a24\)](#)

[EXHIBIT\(jus32a25\)](#)

**Opponents' Testimony:**

02:20:17 Nikki Zupanic, Public Policy Director, ACLU  
02:27:41 Kelsen Young, Executive Director, Montana Coalition  
Against Domestic and Sexual Violence

[EXHIBIT\(jus32a26\)](#)

02:30:42 Jenny Kaleczyc, self

[EXHIBIT\(jus32a27\)](#)

02:35:08 Ann Kron, self

02:38:06 Beth Brenneman, Disability Rights of Montana

02:43:36 Rita Blouke, Vice-President, Helena Area League of  
Women Voters (LWV)

[EXHIBIT\(jus32a28\)](#)

02:47:07 Judy Reel, self

[EXHIBIT\(jus32a29\)](#)

02:52:47 Stacie Anderson, Director of Public Affairs, Planned  
Parenthood of Montana

02:58:18 Angie Wagenhals, NARAL, Pro-Choice of Montana

03:00:23 Jamee Greer, Montana Human Rights Network

03:00:48 Stacie James, Chief Executive Officer, Planned  
Parenthood of Montana

**Informational Testimony:**

none

**Questions from Committee Members and Responses:**

03:01:41 Sen. Shockley  
03:03:03 Mr. Himes  
03:04:45 Sen. Moss  
03:05:16 Ms. Zupanic  
03:06:51 Sen. Moss  
03:07:10 Ms. James  
03:08:10 Sen. Moss

03:08:19 Sen. McGee  
03:09:58 Sen. Moss  
03:10:29 Ms. Reel  
03:11:17 Sen. Shockley  
03:11:50 Ms. Brenneman  
03:14:25 Sen. Juneau  
03:15:27 Ms. Young

**Closing by Sponsor:**

03:18:49 Sen. McGee

**Opponents Information Distributed to Committee after hearing SB  
46:**

**[EXHIBIT\(jus32a30\)](#)**

**ADJOURNMENT**

Adjournment: 12:31 P.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT ([jus32aad.pdf](#))**